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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,558	12/31/2001	Haim Guata	GUATA=1	8704
1444 7590 06/26/2009 BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303				
EXAMINER				
PHAM, THIERRY L				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/019,558

Applicant(s)

GUATA, HAIM

Examiner

THIERRY L. PHAM

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-15 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

- This action is responsive to the following communication: Amendment after final filed on 6/4/2009.
- Claims 1-6, 8-15 are currently pending.

Response to Arguments

Applicant's arguments, see pages 2-16, filed 6/4/2009, with respect to the rejection(s) of claim(s) 1 and 13 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 9-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Piasecki et al (US 5117453), and Wang et al (US 6606311).

Regarding claim 1, Piasecki discloses a digital telecommunication station operative in a telecommunication network (communication network, col. 2, lines 20 to col. 3, lines 36) and comprising:

- at least one detector to receive at least two different types (different types of signals, col. 2, lines 20-63, fig. 1) of signals;
- at least one switch controlled by one of said at least one detector (detector, col. 7, lines 1-68, fig. 2a), operative to channel signals received in accordance with the distinction made by said at least one detector;

- a first transmission means (col. 7, lines 1-56, fig. 2a) operative to transmit received signals along a first transmission path, and to divert signals of at least one other type selected from among said at least two different types of signals; and
- a second transmission means operative to transmit the diverted signals along a second transmission path (col. 7, lines 1-56).

However, Piasecki fails to explicitly teach and/or suggest associating each signal with a different class of quality of service and to distinguish, for each received signal in its entirety, the type of signal to which it belongs and fails to teach and/or suggest a plurality of communication paths and to divert signals based upon its signal quality.

Wang, in the same field of endeavor for telecommunication devices, teaches a well-known example of associating each signal with a different class of quality of service (quality of service associated with received signals, fig. 5, col. 4, lines 13-40, e.g., adaptation control 208 utilizes resource control 210 to determined specific quality of service for each identified signal, see fig. 2) and to distinguish, for each received signal in its entirety, the type of signal to which it belongs (type of signals, fig. 5, col. 4, lines 13-40 and col. 6, lines 1-10) and a plurality of communication paths (communication channels, col. 4, lines 30-40) and to divert signals (figs. 4-5) based upon its signal quality (signal quality, col. 5, lines 33-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify telecommunication device of Piasecki to include a detector for detecting different types of signals and to classify signals into different classes based upon signals quality of services and a plurality of communication paths and to divert signals based upon its signal quality as taught by Wang so packet data flow can be routed to the appropriate communication channel (col. 4, lines 58-67).

Therefore, it would have been obvious to combine Piasecki and Wang to obtain the invention as specified in claim 1.

Regarding claim 2, Piasecki further teaches a digital telecommunication station according to claim 1, further comprising a storage capable of storing diverted signals of said at least one type (col. 8, lines 18-25).

Regarding claim 3, Piasecki further teaches a digital telecommunication station according to claim 1, further comprising at least two different pairs of compressing/decompressing devices (col. 5, lines 22-40).

Regarding claim 4, Piasecki further teaches a digital telecommunication station according to claim 1, wherein said signals of the at least one type of the diverted are facsimile signals (col. 6, lines 34 to col. 7, lines 68).

Regarding claim 5, Piasecki further teaches a digital telecommunication station according to claim 4, further comprising a device for demodulating/re-modulating said facsimile signals (col. 8, lines 1-62).

Regarding claim 6, Piasecki further teaches a digital telecommunication station according to claim 5, wherein said demodulating/re-modulating device comprises facsimile signal demodulator/re-modulator (col. 8, lines 1-62) and forward error correction apparatus wherein the forward error correction apparatus is operative to protect the output of the facsimile demodulator (col. 8, lines 1-17).

Regarding claims 9-10, Piasecki further teaches telecommunication system (fig. 2a) comprising:

- at least one transmitter (fig 2a) at least first end of the transmission network;
- at least one receiver (fig 2a) at least a second end of the transmission network; and
- at least one digital telecommunication station of claim 1.

Regarding claim 11, Piasecki further teaches a telecommunication system according to claim 10, wherein at least one pair of telecommunication stations is selectively (col. 7, lines 1-56, fig. 2a) operated.

Regarding claim 12, Piasecki further teaches a telecommunication system according to claim 9, wherein said at least one of digital telecommunication station is capable of establishing a communication connection with more than two digital communication stations (figs. 5-6).

Regarding claim 13, which recite limitations that are similar and in the same scope of invention as to those in claim 1 above; therefore, claim 13 is rejected for the same rejection rationale/basis as described in claim 1 above.

Regarding claim 14, Piasecki further teaches a method according to claim 13, wherein the diverted signals are stored and transmitted at later stage via said first transmission path (col. 8, lines 10-25).

Regarding claim 15, Piasecki further teaches a method according to claim 14, wherein the diverted signals are stored in a storage means prior to their transmittal along a second transmission path (col. 8, lines 10-25).

Allowable Subject Matter

Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: The combined prior arts of record (US 5117453 to Piasecki et al; US 6606311 to Wang et al) fail to teach and/or suggest “first identifier for determining whether the signals received are of a digital compressed form; second identifier for determining whether the transmission path along which the signals will be transmitted includes at least one further operative means adapted for decompressing the signals when being transmitted in their compressed form; third transmission means operative in response to a determination made by the second identifier that the transmission path does not include at least one further operative means configured to decompress the signals when being transmitted in their decompressed form; and fourth transmission means operative in response to a determination made by the second identifier

that the transmission path does include at least one further operative means configured to decompress the signals being transmitted in their compressed form into the decompressed digital output signals” as recited in claim 8.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thierry L Pham/

Examiner of Art Unit 2625